

CV 18 5842 EDL

JS-CAND 44 (Rev. 06/17)

## CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

CARL A. WESLTT

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

SAN FRANCISCO

(c) Attorneys (Firm Name, Address, and Telephone Number)

n/a

## DEFENDANTS

Joseph MASTRO &amp; Leigh C. H. H. H.

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

BLOWAWA (FLORIDA)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Michael MASTACONE

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
(For Diversity Cases Only)

PTF	DEF	PTF	DEF
1	1	Incorporated or Principal Place of Business In This State	4 4
2	2	Incorporated and Principal Place of Business In Another State	5 5
3	3	Foreign Nation	6 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC § 881	375 False Claims Act
120 Marine	310 Airplane	365 Personal Injury – Product Liability	690 Other	376 Qui Tam (31 USC § 3729(a))
130 Miller Act	315 Airplane Product Liability	367 Health Care/Pharmaceutical Personal Injury Product Liability	<b>LABOR</b>	400 State Reapportionment
140 Negotiable Instrument	320 Assault, Libel & Slander	368 Asbestos Personal Injury Product Liability	710 Fair Labor Standards Act	410 Antitrust
150 Recovery of Overpayment Of Veteran's Benefits	330 Federal Employers' Liability	PERSONAL PROPERTY	720 Labor/Management Relations	430 Banks and Banking
151 Medicare Act	340 Marine	370 Other Fraud	740 Railway Labor Act	450 Commerce
152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability	371 Truth in Lending	751 Family and Medical Leave Act	460 Deportation
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	380 Other Personal Property Damage	790 Other Labor Litigation	470 Racketeer Influenced & Corrupt Organizations
160 Stockholders' Suits	355 Motor Vehicle Product Liability	385 Property Damage Product Liability	791 Employee Retirement Income Security Act	480 Consumer Credit
190 Other Contract	360 Other Personal Injury	<b>CIVIL RIGHTS</b>	<b>PROPERTY RIGHTS</b>	490 Cable/Sat TV
195 Contract Product Liability	362 Personal Injury -Medical Malpractice	440 Other Civil Rights	820 Copyrights	850 Securities/Commodities/ Exchange
196 Franchise		441 Voting	830 Patent	890 Other Statutory Actions
<b>REAL PROPERTY</b>		442 Employment	835 Patent—Abbreviated New Drug Application	891 Agricultural Acts
210 Land Condemnation		443 Housing/ Accommodations	840 Trademark	893 Environmental Matters
220 Foreclosure		445 Amer. w/Disabilities— Employment	<b>SOCIAL SECURITY</b>	895 Freedom of Information Act
230 Rent Lease & Ejectment		446 Amer. w/Disabilities—Other	861 HIA (1395ff)	896 Arbitration
240 Torts to Land		448 Education	862 Black Lung (923)	899 Administrative Procedure Act/Review or Appeal of Agency Decision
245 Tort Product Liability			863 DIWC/DIWW (405(g))	950 Constitutionality of State Statutes
290 All Other Real Property			864 SSID Title XVI	
			865 RSI (405(g))	
			<b>FEDERAL TAX SUITS</b>	
			870 Taxes (U.S. Plaintiff or Defendant)	
			871 IRS—Third Party 26 USC § 7609	

## V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding	2 Removed from State Court	3 Remanded from Appellate Court	4 Reinstated or Reopened	5 Transferred from Another District (specify)	6 Multidistrict Litigation—Transfer	8 Multidistrict Litigation—Direct File
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→ B+ SECOND review

## VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

## ACTION

Brief description of cause:

Break of contract; BREACH OF FAULT

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, Fed. R. Civ. P.

## DEMAND \$

CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  NoVIII. RELATED CASE(S),  
IF ANY (See instructions):

## JUDGE

## DOCKET NUMBER

see complaint

## IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

SAN FRANCISCO/OAKLAND

SAN JOSE

EUREKA-MCKINLEYVILLE

DATE

SIGNATURE OF ATTORNEY OF RECORD